

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco

NOE SOLIS GARCIA, et al.,

No. C 11-02047 LB

Plaintiffs,

**ORDER RE: WAIVER OF JURY
TRIAL**

v.

MARIO BANA, et al.,

Defendants.

Plaintiffs in this action properly demanded a jury trial in their complaint. Complaint, ECF No. 1 at 12.

A jury demand may not be withdrawn without the parties' consent. Fed. R. Civ. P. 38(d). To consent to withdrawal of a jury demand, "the parties or their attorneys [must] file a stipulation to a nonjury trial or so stipulate on the record." Fed. R. Civ. P. 39(a)(1); *Solis v. County of Los Angeles*, 514 F.3d 946, 955 (9th Cir. 2008).

At the hearing on June 7, 2012, Plaintiffs' counsel, Adam Wang, stated that Plaintiffs would withdraw their jury demand, and Defendants' counsel, Tyler Paetkau, agreed. Plaintiffs' jury demand, then, was properly withdrawn. Any trial in this action shall be a bench trial.

IT IS SO ORDERED.

Dated: June 11, 2012


LAUREL BEELER
United States Magistrate Judge